

NUEVOLUTION A/S and  
PETER BIRK RASMUSSEN

v.

HENRIK PEDERSEN and  
CHEMGENE HOLDING ApS,

Defendants.

CIVIL ACTION NO. 1:14-cv-00357  
(CMH) (TCB)

December 3, 2014

For the reasons set forth in the accompanying memorandum of law, Plaintiffs

Nuevolution A/S and Peter Birk Rasmussen (collectively, “Plaintiffs”), hereby move the Court for clarification or, alternatively, to alter or amend the Court’s November 5, 2014 Order Granting Defendants Dr. Henrik Pedersen and Chemgene Holdings ApS’s (collectively, “Defendants”) Motion to Dismiss. ECF No. 33. Plaintiffs, respectfully, request that this Court clarify or, alternatively, alter or amend its prior Order to condition its *forum non conveniens* dismissal on Defendants’ stipulation that in the event the Danish courts issue a final decision determining that Henrik Pedersen is the sole or co-inventor of the invention covered by the Danish priority application and the PCT application they will be bound by such determination of inventorship with respect to the relevant U.S. patents and related applications as if the decision had been issued by a competent U.S. court.

Respectfully submitted, this 3<sup>rd</sup> day of December, 2014

PETER BIRK RASMUSSEN

By: /s/ Richard L. Beizer

Richard L. Beizer (VSB # 02646)

Andy Liu (*pro hac vice*)

CROWELL & MORING LLP

1001 Pennsylvania Ave., NW

Washington, DC 20004

Telephone: (202) 624-2500

Facsimile: (202) 628-5116

rbeizer@crowell.com

aliu@crowell.com

*Attorneys for Peter Birk Rasmussen*

NUEVOLUTION A/S

By: /s/ Sara E. Kropf

Sara E. Kropf (VA Bar. No. 84931)

Law Office of Sara Kropf PLLC

1001 G St. NW, Suite 800

Washington, DC 20001

Telephone: (202) 627-6900

Fax: (202) 347-0316

sara@kropf-law.com

James H. Bicks (*pro hac vice*)

Wiggin and Dana LLP

Two Stamford Plaza

Tresser Boulevard

Stamford, Connecticut 06901

Telephone: (203) 363-7622

Fax: (203) 363-7676

jbicks@wiggin.com

*Attorneys for Nuevolution A/S*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 3rd day of December, 2014 I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Richard L. Beizer  
CROWELL & MORING, LLP  
1001 Pennsylvania Ave NW  
Washington, DC 20004  
rbeizer@crowell.com

William J. Utermohlen  
OLIFF PLC  
277 South Washington Street  
Suite 500  
Alexandria, Virginia 22314  
wutermohlen@oliff.com

/s/ Sara E. Kropf  
Sara E. Kropf (VSB #84931)